



PTO/SB/01 (05-07)

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted With Initial Filing Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) **OR**

Attorney Docket Number		S1509.70037US01
First Named Inventor		Eric Thor Fossl
<i>COMPLETE IF KNOWN</i>		
Application Number		10/590,300-Conf. #7179
Filing Date		August 23, 2006
Art Unit		Not Yet Assigned
Examiner Name		Not Yet Assigned

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TOPICAL DELIVERY OF A NITRIC OXIDE DONOR TO IMPROVE SKIN APPEARANCE

(Title of the Invention)

the specification of which

is attached hereto

OR

X was filed on (MM/DD/YYYY) **08/23/2006** as United States Application Number or PCT International

I hereby state that I have reviewed and understood the contents of the Application for DRUG APPROVAL, and that I am in full agreement with the information contained therein.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the earliest application identified above.

Prior Foreign Application Number(s) and Country in which priority is claimed					
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
PCT/US05/005726	PCT	2/23/2005	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

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DECLARATION — Utility or Design Patent Application

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned Inventor

Given Name
(first and middle (if any))

Eric Thor

Family Name
or Surname

Fossel

Inventor's
Signature

Date

6/18/07

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Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.